

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Case No.: 20-cv-10832 (AT)
(SN)

Plaintiff,

-against-

DECLARATION

RIPPLE LABS, INC., BRADLEY GARLINGHOUSE, and
CHRISTIAN A. LARSEN

Defendants.

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STATE OF RHODE ISLAND)
) ss.:
COUNTY OF PROVIDENCE)

I, Vincent Bono, pursuant to 28 U.S.C. § 1746 declare as follows:

1. I am the Managing Member and Chief Technology Officer of Non-party Cryptillian Payment Systems, LLC (“Cryptillian”). and submit this declaration in support of Cryptillians’s *Amicus Curiae* Brief in further support of Defendant’s Opposition to Plaintiff’s Motion for Summary Judgment in the above-entitled action.

2. This declaration is based upon my personal knowledge of the facts set forth herein, and if called as a witness to testify thereto, I could competently and truthfully do so.

3. Cryptillian is a Delaware, for-profit company with offices in Rhode Island and New Hampshire. Cryptillian designed and developed a secure digital asset (“Crypto”) payment and transaction platform that allows users (“Cardholders”) to store Crypto in secure online wallets and when desired, use a traditional magnetic stripe or EMV chip payment card to transfer Crypto to a retailer (“Merchant”) in a way identical to a traditional credit or debit card purchase. In this way Cryptillian allows its Cardholders and Merchants to utilize Crypto in a way indistinguishable from

fiat currency. Even inclusive of the cost of transferring Crypto in and out of the Cryptillian system, this use is much less expensive for both Cardholders and Merchants than traditional payment card processing services which can be as much as \$0.50 USD per transaction and upwards of 3.5% of each transaction total or higher. Unlike those traditional payment services, Cryptillian Crypto transactions never touch the legacy payment network used by Visa, MasterCard, American Express and Discover which are burdened by obsolete technology holdovers and fees for services that have not had meaning since the 1980s but are still passed on to purchasers or retailers.

4. While transfer of Crypto between Cardholders and Merchants is achieved with Cryptillian proprietary technology, to facilitate the transfer of tokens into or out of Cryptillian wallets the individual blockchain systems of each token must be utilized. Since, XRP, the token developed by Defendants, is one supported by Cryptillian, the XRP Ledger (“XRPL”) is utilized to move XRP into and out of Cryptillian Cardholder and Merchant Wallets. The development, testing and use of the XRPL was done without any knowledge, support or guidance from Defendants. Defendants do not benefit in any way, and in fact are completely unaware of transactions that occur in the manner.

5. On September 1, 2021 Cryptillian began testing of its Crypto based payment card system and with selected volunteer merchants and cardholders, and supports six tokens for use. When the SEC filed its suit against Defendants in December of 2020 many digital asset exchanges and trading platforms delisted the XRP token out of concern.

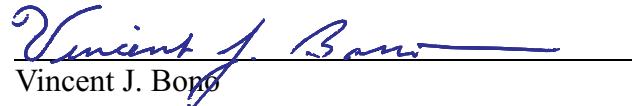
6. That filing and the subsequent delistings arguably made XRP the LEAST likely token to be traded or speculated on as any type of investment tool. Yet when Cryptillian launched nearly a year after the suit filing, XRP quickly became, and still is, the second most popular token used by its Cardholders.

7. Ether, the token that former SEC Director Hinman in his speech on June 14, 2018 specifically identified as NOT a security, is the LEAST popular token for use by Cryptillian Cardholders.¹

8. Cryptillian Cardholders and Merchants utilize XRP as a means of exchange every day tracking Cardholder purchases and Merchant sales with no regard to the investment opportunity presented (or not presented thanks to the SEC's suit) demonstrating the fundamental and basic utility of ANY asset.

9. I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 10, 2022



Vincent J. Bono

¹ A copy of Director Hinman's speech can be found at www.sec.gov/news/speech/speech-hinman-061418.